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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN MARIANA ISLANDS

KOICHI TANIGUCHI	)	CIVIL ACTION NO. 08-0008
	)	
Plaintiff,	)	
	)	
vs.	)	<b>DEFENDANT'S CASE</b>
	)	<b>MANAGEMENT STATEMENT</b>
KAN PACIFIC SAIPAN, LTD. dba	)	
Mariana Resort and spa	)	
	)	
Defendant.	)	
_____	)	

Comes now Defendant KAN PACIFIC SAIPAN, LTD. dba Mariana Resort and Spa, pursuant to Rule 16 (B) F.R.C.P. and LR 16.2CJ e.2., and files its Case Management Statement:

a. Service of Process On Parties Not Yet Served.

The named defendant has been served.

b. Jurisdiction and Venue.

There are no issues regarding jurisdiction or venue.

c. Anticipated Motions.

Unknown yet.

d. Appropriateness of Special Procedures.

Unknown, as yet.

e. Modification of Standard Procedures.

Unnecessary.

f. Settlement Prospects.

Reasonably good, once discovery is completed.

g. Other Matters.

A standard track assignment may be appropriate, although there are some potential complications. One is Plaintiff's Japanese doctor. If Plaintiff's counsel will agree to fly Plaintiff's doctor to Saipan for a deposition – at Defendant's expense – then a deposition in Japan will be required, which is complicated. Depositions in Japan must be taken at the US Embassy. Currently, the first available open date for a deposition in Japan at the US Embassy is after September 29, 2008. See <http://tokyo.usembassy.gov/e/acs/tacs-7116.html>. It would be simpler and more economical for all parties if the deposition of Plaintiff's doctor was taken on Saipan, preferably at the same time Plaintiff's deposition takes place, after written discovery.

Another potentially complicating issue is that Defendant needs to depose Hisato Endo, the Kyowa group representative who signed the contracts that Plaintiff claims he was unable to fulfill due to his injury. But, Mr. Endo has been indicted in Saipan, and he travels back and forth between Saipan and Japan. It may be difficult to serve him with a deposition subpoena, again, unless Plaintiff will make him available in Saipan for a deposition at a time and date certain.

Finally, in the event Plaintiff maintains that he continues to suffer ill effects from the incident giving rise to suit, Defendant may move for an independent medical examination under FRCP 35.

Dated this 17<sup>th</sup> day of March, 2008.

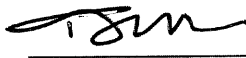
RICHARD W. PIERCE LAW OFFICE, LLC

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
**RICHARD PIERCE**

DOOLEY ROBERTS & FOWLER LLP

Dated: 3/17/08

By:   
**TIM ROBERTS**

Attorneys for Defendant KAN PACIFIC SAIPAN, LTD. dba Mariana Resort and Spa.